

FILED BY *gk* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 OCT 26 AM 10:54
THOMAS N. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

YORK INTERNATIONAL CORPORATION,)
Plaintiff,)
v.)
JOHN BARBER,)
Defendant.)

Docket No. 2:05-cv-02590-JDB-dkv

-PROPOSED RULE 16(b) SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held October 19, 2005. Present were Imad Abdullah, counsel for York International Corporation ("Plaintiff"), and Jon Harris, counsel for John Barber ("Defendant"). At the conference, the following dates were established as the final dates for:

- A. INITIAL DISCLOSURE: January 6, 2006
- B. JOINING PARTIES: January 27, 2006
- C. AMENDING PLEADINGS: January 27, 2006
- D. INITIAL MOTIONS TO DISMISS: February 27, 2006
- E. COMPLETING ALL DISCOVERY: June 30, 2006
- F. DOCUMENT PRODUCTION: March 30, 2006

G. DEPOSITIONS, INTERROGATORIES, AND REQUESTS FOR ADMISSIONS: June 30, 2006

H. EXPERT DISCLOSURE (Rule 26):

(i) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: May 31, 2006

(ii) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: June 30, 2006

(iii) EXPERT WITNESS DEPOSITIONS: July 30, 2006

I. FILING DISPOSITIVE MOTIONS: August 30, 2006

J. PLAINTIFF'S FINAL LISTS OF WITNESSES AND EXHIBITS UNDER RULE 26(a)(3): August 30, 2006

K. DEFENDANT'S FINAL LISTS OF WITNESSES AND EXHIBITS UNDER RULE 26(a)(3): September 30, 2006

L. PARTIES HAVE 30 DAYS AFTER SERVICE OF FINAL LISTS OF WITNESSES AND EXHIBITS TO LIST OBJECTIONS UNDER RULE 26(a)(3).

M. OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after June 30, 2006. All motions, requests for admission, or other filings that require a response must be filed sufficiently in advance of the

June 30, 2006 discovery deadline to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

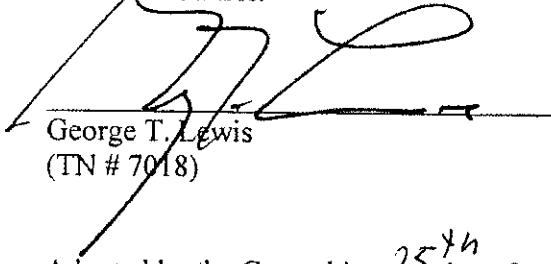
Motions to compel discovery are to be filed and served by June 30, 2006 or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the June 30, 2006, discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default,

response, answer, or objection shall be waived. *After the close of discovery, the parties will advise the court if this case is appropriate for ADR & whether court-annexed attorney mediation is required.*

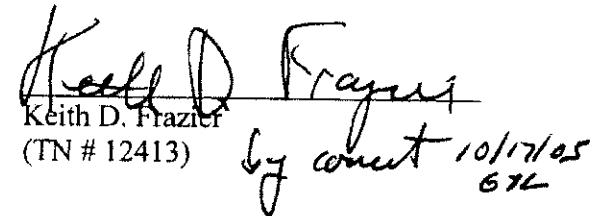
This case is set for non-jury trial, and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

Stipulated by the parties this 20th day of October, 2005.

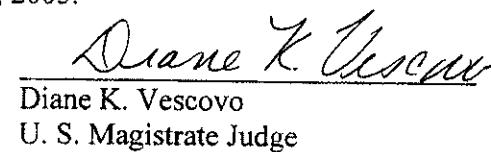
Plaintiff Counsel:

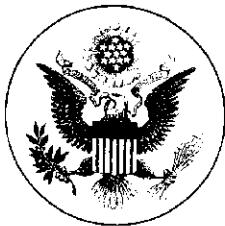

George T. Lewis
(TN # 7018)

Defense Counsel:


Keith D. Frazier
(TN # 12413)
by court 10/17/05
676

Adopted by the Court this 25th day of October, 2005.


Diane K. Vescovo
U. S. Magistrate Judge



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02590 was distributed by fax, mail, or direct printing on October 26, 2005 to the parties listed.

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Honorable J. Breen
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